

SCOTTSDALE

CITY COUNCIL MEETING



*****AMENDED*** AGENDA (4:00 P.M. SPECIAL MEETING/EXECUTIVE SESSION
ADDED, CITY ATTORNEY APPOINTMENT ADDED, ITEM #15 WITHDRAWN, ITEM #26A ADDED)**

COUNCIL

Mary Manross, Mayor

Wayne Ecton

Robert W. Littlefield

Cynthia Lukas

Ned O'Hearn

David Ortega

Tom Silverman

Tuesday, July 1, 2003

Marked Agenda

*****4:00 P.M.**

City Council Special Meeting

Call to Order – City Hall Kiva Forum, 3939 N. Drinkwater Blvd. – **4:10 P.M.**

Roll Call – **ALL PRESENT**

1. Recruitment of City Attorney

Request: Update on status of City Attorney recruitment.

Contact: Neal Shearer, 480-312-2604, (nshearer@scottsdaleaz.gov)

2. Motion to recess into Executive session to: -- **OK** – 7/0

- a. Discuss or consider employment, assignment, appointment, promotion, and salary of City Attorney pursuant to ARS Sec. 38-431.03 (A) (1). No specific candidates will be discussed.
- b. Discuss or consult for legal advice with the City's attorneys regarding the process of hiring a City Attorney pursuant to ARS Sec. 38-431.03 (A) (3).
- c. Discuss or consult with the City's attorneys in order to consider its position and instruct its attorneys regarding the public body's position regarding employment contracts for a City Attorney pursuant to ARS Sec. 38-431.03 (A) (4).

Contact: Neal Shearer, 480-312-2604, (nshearer@scottsdaleaz.gov)

Adjourn – **4:15 P.M.**

***City Council Executive Session

Immediately Following 4:00 P.M. City Council Special Meeting

Call to Order – City Hall Kiva Conference Room

1. Motion to recess into Executive session to:

- a. Discuss or consider employment, assignment, appointment, promotion, and salary of City Attorney pursuant to ARS Sec. 38-431.03 (A) (1). No specific candidates will be discussed.
- b. Discuss or consult for legal advice with the City's attorneys regarding the process of hiring a City Attorney pursuant to ARS Sec. 38-431.03 (A) (3).
- c. Discuss or consult with the City's attorneys in order to consider its position and instruct its attorneys regarding the public body's position regarding employment contracts for a City Attorney pursuant to ARS Sec. 38-431.03 (A) (4).

Adjourn

5:00 P.M.
CITY COUNCIL MEETING

Call to Order – City Hall Kiva Forum, 3939 N. Drinkwater Boulevard – **5:07 P.M.**

Roll Call – **ALL PRESENT**

Pledge of Allegiance – **DAVID PENNARTZ**

Invocation -- **NONE**

Presentations/Information Updates

Aviation Subcommittee Update – **CYNTHIA LUKAS**

*****Appointment** – **OK – 7/0**

Consider appointment of Brad Woodford as Interim City Attorney

Boards and Commissions

Development Review Board (1) – **RE-APPOINTMENT, E.L. CORTEZ**

Environmental Quality Advisory Board (1) – **APPOINTMENT, RONALD HAND**

Transportation Commission (1) – **RE-APPOINTMENT, J. DAVID HILL**

Public Comment

Citizens may complete one speaker/citizen comment card per night and submit it to the City Clerk before or during this evening's meeting. Please check the box that refers to "public comment." This "Public Comment" time is reserved for citizen comments regarding non-agendized items. No official Council action can be taken on these items. **1) JANE RAU, AGAINST LOS ARCOS; 2) MARY HENKENIUS, SUPPORT OF LOS ARCOS; 3) ROBERT MAYHEW/SHARON MORGAN, SUPPORT OF LOS ARCOS; 4) NANCY CANTOR, SUPPORT OF LOS ARCOS; 5) JODIE PAULSON, SPOKE AGAINST ELLMAN TACTICS**

1. Portales Amended Development Stipulation #3 – OK - C**Request:**

1. To delete stipulation #3 of Case 76-Z-85 on a 39.77 +/- acre parcel located at 4800 N. Scottsdale Road with Downtown/Regional Commercial Office Type 2, Planned Block Development (D/R CO-2 PBD).
2. To adopt Ordinance No. 3517 affirming the amendment to the stipulations.

Location: 4800 N Scottsdale Rd**Reference:** 76-ZN-1985#4**Staff Contact(s):** Kira Wauwie AICP, Project Coordination Manager, 480-312-7061, kwauwie@ScottsdaleAZ.gov; Randy Grant, Chief Planning Officer, 480-312-7995; rgrant@ScottsdaleAZ.gov**2. DC Ranch Parcel 1.18 (Planning Unit 1) OK – 5/2****Request:**

1. To approve the Final Plat for a 111-lot subdivision at DC Ranch.
2. To adopt Resolution No. 6336 authorizing Park Agreement No. 2003-123-COS.

2-PP-2003**Key Items for Consideration:**

- This is the first development/subdivision in DC Ranch's Planning Unit 1.
- The development complies with the Master Plans for Planning Unit 1.
- A new 12.8-acre neighborhood park site will be dedicated to the City.

Related Policies, References: 54-ZN-1989#1 thru 5, 5-MP-2002, Community Facilities District**Staff Contact(s):** Tim Curtis, Project Coordination Manager, 480-312-4210, tcurtis@ScottsdaleAZ.gov; Joe Morris, Development Engineering Manager, 480-312-5757, jdmorris@ScottsdaleAZ.gov; rgrant@ScottsdaleAZ.gov**3. DC Ranch Ordinance Adoption OK - C****Request:** Consider adopting Ordinance No. 3518, affirming zoning classifications as approved in case 54-ZN-1989#2. The original zoning is as follows:

- Parcel 2.3b – Single Family Residential District (R1-7);
- Parcel 2.6 – Commercial Office District (C-O);
- Parcel 2.15 – Single Family Residential District (R1-7);
- Parcel 5.11 – (R-4R);
- Parcel 6.6 – Single Family Residential District (R1-10);
- Parcel 6.11 – Single Family Residential District (R1-10);
- Parcel 6.13 – Single Family Residential District (R1-10);
- Parcel 6.14 – Single Family Residential Districts (R1-43 and R1-10);
- Parcel 6.15 – Single Family Residential District (R1-10);
- Parcel G.1 – Single Family Residential Districts (R1-43, R1-10, R1-7);
- Parcels G.2 and G.4 – Single Family Residential District (R1-10) and (R-4);
- Parcel G.3 – (R-5) – Multi-Family Residential District;
- Parcel 5.1 – (R-5) – Multi-Family Residential District;

All of the above parcels also have the Planned Community District (PCD) zoning overlay.

Location: Various Parcels in DC Ranch**Reference:** 54-ZN-1989#2E**Staff Contact(s):** Tim Curtis, Project Coordination Manager, 480-312-4210, tcurtis@ScottsdaleAZ.gov; Randy Grant, 480-312-7995, rgrant@ScottsdaleAZ.gov

4. 121st Place Abandonment (Price Residence) OK - C

Request: Consider the following:

1. Abandon 50 feet right-of-way along the 121st Place alignment.
2. Abandon 33 feet GLO (General Land Office) patent roadway and public utility easement.
3. Dedicate a 15 foot public trail easement along Mountain View Road.
4. Reserve a 20 foot water and sewer line easement along the east side of the subject 121st Place right-of-way.
5. Adopt Resolution No. 6334 vacating and abandoning a portion of right of way and roadway easement.

Location: North of Mountain View Road and West of 121st Place.

Reference: 3-AB-2003

Staff Contact(s): Cheryl Sumners, Senior Planner, 480-312-7834, csumners@ScottsdaleAZ.gov; Jeff Fisher, Plan Review and Permit Services Director, 480-312-7619, jefisher@ScottsdaleAz.gov; Randy Grant, 480-312-7995, rgrant@ScottsdaleAZ.gov

5. Intergovernmental Agreement (IGA) with the Flood Control District of Maricopa County for design and construction of drainage improvements in Scottsdale. OK - C

Request: Consider adoption of Resolution No. 6286 to authorize IGA #2003-052-COS with the Flood Control District of Maricopa County for design and construction of:

- Scottsdale Road Storm Drain Outfall Improvements,
- 71st Street Channel Improvements,
- Cactus Park Basin Improvements, and
- Mescal Park Basin Improvements.

The estimated cost of the proposed improvements is \$5,083,333 of which the Flood Control District will finance 50 percent.

Related Policies, References:

- a. Scottsdale Road Corridor Drainage Master Plan
- b. City Procurement Code

Staff Contact(s): Robert M. Johnson, CIP Coordination Manager, (480)-312-7054, rmjohnson@scottsdaleaz.gov; Al Dreska, Municipal Services General Manager, 480-312-2776, adreska@scottsdaleaz.gov

6. Intergovernmental Agreement to allow the Scottsdale Police Department to provide forensic services and use of the Family Advocate Center to the Town of Paradise Valley Police Department. OK - C

Request:

- Adopt Resolution No. 6329 authorizing the City to enter into an Intergovernmental Agreement:
- Authorize Intergovernmental Agreement No. 2003-118-COS, which allows the Scottsdale Police Department to provide forensic services and the use of the Family Advocacy Center to the town of Paradise Valley Police Department for \$25,000.
- In anticipation of the agreement, the Scottsdale Police Department included \$20,000 in the Forensic Science Agreement center approved FY03/04 budget. As the IGA is for \$25,000, authorize the transfer \$5,000 of Special Revenue Fund Contingency budget to the Forensic Science Agreement center (280-02304-54530). The contract amount will fully fund the costs associated with the IGA.

Related Policies, References: This agreement is made under the authority of Article 1, section 3-1 of the city charter of the City of Scottsdale.

Staff Contact(s): Allen Steve Garrett, Forensic Services Division Manager, 480-312-5280, sgarrett@scottsdaleaz.gov

- 7. Consider awarding federal lobbying and information services contract with Carolyn C. Chaney and Associates. OK - C**
Request: Approve Contract Number 2003-122-COS with Carolyn C. Chaney and Associates to provide federal lobbying and information services on behalf of the City of Scottsdale for an annual compensation of \$66,000 and up to \$3,000 for reimbursable expenses incurred on behalf of Scottsdale while carrying out the terms of the contract.
Staff Contact(s): Steve Olson, Governmental Relations Director, solson@scottsdaleaz.gov (480)312-2423
- 8. City Code amendment instituting the City of Scottsdale Drought Management Plan OK-C**
Request: Adopt Ordinance No. 3516 amending the City Water Conservation Code to provide regulations for times of drought, and empowering the City Manager to promulgate and enforce the City of Scottsdale Drought Management Plan. The City of Scottsdale Drought Management Plan is the administrative document which describes City of Scottsdale's response to water supply shortages, including mandatory water conservation regulations. The Code amendment provides the mechanism to enforce the Drought Management Plan requirements.
Staff Contact(s): Beth Miller, Water Resources Advisor, emiller@Scottsdaleaz.gov (480) 312-5009; Roger Klingler, Assistant City Manager, 480-312-5830, rklingler@scottsdaleaz.gov; David Mansfield, Water Resources General Manager, 480-312-5681, dmansfield@scottsdaleaz.gov
- 9. Construction Bid Award for the expansion and renovation of Fire Station 11, located in the proximity of McDonald Drive and Scottsdale Road OK - C**
Request: Authorize Construction Bid Award No. 03PB110 to Petersen Development, the lowest responsive bidder, at their lump sum base bid of \$148,000.00.
Staff Contact(s): Dan Walsh, Project Manager, (480) 312-5248 dwalsh@scottsdaleaz.gov; Al Dreska, (480) 312-2776, adreska@scottsdaleaz.gov
- 10. Construction Bid Award and Budget Transfer for Fire Station 27, located near the intersection of Pima and Ashler Hills OK - C**
Request:
AUTHORIZE Construction Bid Award No. 03PB108 in the total amount of \$741,364.00, consisting of the base bid and bid alternate No. 1, to Harney-Naill, Inc., the lowest responsive bidder.
AUTHORIZE a capital contingency fund transfer in the amount of \$200,000 to CIP Account No. B9909 (Ashler Hills & Pima Fire Station #27)
AUTHORIZE a reduction in the proposed FY 04/05 CIP Budget allocation to CIP Account No. B9909 from \$400,000 to \$200,000.
Related Policies, References: The design and construction of this facility will move the City toward the accepted total emergency coverage that was identified in 1992 and subsequently included in the City's General Plan. Council approved the design contract for the station on December 4, 2002. The amount of the proposed capital contingency transfer to CIP Account No. B9909 will be offset by reducing the additional funding planned for this project in FY 04/05.
Staff Contact(s): Dan Walsh, Project Manager, dwalsh@scottsdaleaz.gov , (480) 312-5248; Al Dreska, (480) 312-2776, adreska@scottsdaleaz.gov

- 11. Design of Regulatory Compliance Improvements at the Central Arizona Project Water Treatment Plant. OK - C**
Request: Authorize Engineering Services Contract No. 2003-110-COS with Malcolm Pirnie, Inc. in the amount of \$2,394,102.00 for the final design of regulatory compliance improvements at the Central Arizona Project Water Treatment Plant.
Related Policies, References:
a. Water Resources Master Plan, approved by City Council on October 15, 2001.
b. Engineering Services Contract No. 2001-167-COS, for conceptual site plan of CAP Treatment Plant expansion, approved by City Council on November 26, 2001.
Staff Contact(s): Charles W. Henne, Project Manager, (480) 312-7097, chenne@scottsdaleaz.gov; Al Dreska, (480) 312-2776, adreska@scottsdaleaz.gov
- 12. Engineering Services Contract for design of the Zone 12 /13 Water Transmission Line. OK - C**
Request: Authorize Engineering Services Contract No. 2003-121-COS with Wood, Patel & Associates, Inc., in the amount of \$190,433.00 for the design of a water transmission line between Dynamite Boulevard and Jomax Road, and for engineering services during construction of the Zone 12/13 Reservoir.
Related Policies, References:
a. Water Resources Master Plan, approved by City Council on October 15, 2001.
b. Engineering Services Contract 2000-030-COS for design of Zone 12/13 Reservoir, approved by City Council on March 20, 2000.
Staff Contact(s): Doreen Song, P.E. Project Manager, (480)312-2367, dsong@scottsdaleaz.gov; Al Dreska, (480) 312-2776, adreska@scottsdaleaz.gov
- 13. Construction Bid Award for Waterline Replacements in the area of De La O Road, Pima to 84th Street. OK - C**
Request: Authorize Construction Bid Award No. 03PB005 to Citywide Contracting, LLC, the lowest responsive bidder, at their unit price bid of \$450,474.00.
Staff Contact(s): Alison Tymkiw, Sr. Project Manager, (480) 312-7985, atymkiw@scottsdaleaz.gov
- 14. Adopt Official Marking Scheme for City-owned and Leased vehicles and Authorize City Manager Approval of Unmarked Vehicles. OK - C**
Request: Adopt Resolution No. 6287 establishing an official marking scheme for City-owned and leased vehicles and authorizing the City Manager to grant exemptions to the marking requirement for those vehicles used to perform confidential functions.
Related Policies, References:
 - Arizona Revised Statutes (ARS) Section 38-538
 - Arizona Revised Statutes (ARS) Section 28-2511
 - City Audit Report No. 0161D**Staff Contact(s):** Danny Johnson, Fleet Management Director, (480) 312-5575, djohnson@scottsdaleaz.gov; Al Dreska, (480) 312-2776, adreska@scottsdaleaz.gov

*****15. WITHDRAWN**

Construction Bid Award for Civic Center Mall Amphitheater and Nevelson Sculpture Resiting

16. Construction Contract Award for Hayden Road - Thompson Peak Parkway to Williams Drive OK - C

Request: Authorize Construction Contract Award No. 03PB072 to J. Banicki Construction, Inc., the lowest responsive bidder, at their total unit price bid of \$973,589.85 for Segment 3 of the Hayden Road – Princess Drive to Pinnacle Peak project

Staff Contact(s): Alex McLaren, Construction and Design Director, amclaren@scottsdaleaz.gov, (480)312-7099; Al Dreska, (480) 312-2776, adreska@scottsdaleaz.gov

17. Construction Bid Award for Police District Three Emergency Electrical Power Generator OK - C

Request: Authorize Construction Bid Award No. 03PB095 to Buehler Brothers Electric, Inc., the lowest responsive bidder, at their lump sum base bid of \$72,200.00.

Staff Contact(s): Dan Walsh, Project Manager, (480) 312-5248 dwalsh@scottsdaleaz.gov; Al Dreska, (480) 312-2776, adreska@scottsdaleaz.gov

18. Outdoor Dining Lease on Civic Center Mall OK - C

Request: Adopt Resolution No. 6339 AUTHORIZING lease agreement 2003-125-COS with James-Hotel Scottsdale L.L.C., an Arizona limited liability company to construct and operate an outdoor dining area on the Scottsdale Civic Center Mall.

Related Policies, References:

- Section 2-221(b)(4) of the Scottsdale Revised Code, which allows the sale of City property interests, including leases, directly to adjoining property owners.
- Resolution No. 4879 was adopted September 2, 1997, which authorized a lease with AZ88 to construct and operate an outdoor dining area on the Scottsdale Civic Center Mall.
- Resolution No. 5296 was adopted June 1, 1999, which authorized a lease with the Blue Moose restaurant to operate a second outdoor dining area on the Scottsdale Civic Center Mall.

Staff Contact(s): Ron King, Asset Management Coordinator, (480)-312-7042, rking@scottsdaleaz.gov; Jon Chase, Principle Planner, (480)-312-2578, jchase@scottsdaleaz.gov; Randy Grant, 480-312-7995, rgrant@scottsdaleaz.gov

18. Contract Modification for Design of Sewer Collection System Rehabilitation Project OK - C

Request: Authorize contract modification to Engineering Services Contract No. 2002-034A-COS with Brown & Caldwell Inc., in the total amount of \$188,191.00, for design of Phase 2 of the Sewer Collection System Rehabilitation Project.

Related Policies, References: Engineering Services Contract No. 2002-034-COS, approved by City Council on May 13, 2002.

Staff Contact(s): Annette Grove, Sr. Project Manager, (480) 312-2399, agrove@scottsdaleaz.gov; Al Dreska, (480) 312-2776, adreska@scottsdaleaz.gov

20. Acquire easement for the widening of 96th Street from Shea Boulevard to Thunderbird Road. OK - C

Request: Adopt Resolution No. 6326 authorizing the acquisition of a multi-use path and slope easement on property located at 9551 E. Redfield Road from G & I Redfield Development, LLC at the total appraised value of \$33,840 plus approximately \$1,500 in closing costs for the 96th St. Improvements CIP project (Shea – Thunderbird Road).

Related Policies, References:

- a. Resolution No. 6253 authorized the initiation of negotiations for the acquisition of 16 various parcels of right-of-way/easements (ROW) from nine property owners for the 96th St. Improvements project (Shea-Thunderbird Rd).
- b. Cactus Corridor Equestrian Overlay District
- c. Bond 2000 CIP Project

Staff Contact(s): Marek Urbanek, Project Manager, (480) 312-2563, murbanek@ci.scottsdale.az.us; Rhonda Thomas, Right of Way Agent, (480) 312-7847, Rthomas@ci.scottsdale.az.us; Al Dreska, (480) 312-2776, adreska@scottsdaleaz.gov

21. Purchase of Excess Municipal Liability Insurance for the period 7/1/03-04 OK - C

Request: Consider authorizing purchase of General Liability, Vehicle Liability and Public Officials Errors and Omission insurance protection of \$40,000,000 Limits of Liability per occurrence and annual aggregate coverage from various insurers for claims in excess of the City's self-insured retention amount of \$2,000,000 per occurrence for a cost of \$687,830, and adopt Resolution No.6330.

Related Policies, References: Scottsdale Revised Code, Section 2-173 calls for the purchase of excess insurance above the self-insured retention as recommended by the Risk Management Director and approved by City Council.

Staff Contact(s): Myron J. Kuklok, Risk Management Director, 480-312-7841, mkuklok@scottsdaleaz.gov; Craig Clifford, Chief Financial Officer, 480-312-2364, cclifford@scottsdaleaz.gov

22. Purchase of Scottsdale Airport Liability Insurance for the period 7/1/03-04 OK - C

Request: Consider authorizing purchase of Scottsdale Airport Liability and Hangarkeepers' Legal Liability insurance of \$100,000,000 per occurrence and annual aggregate limits of Airport Liability coverage and \$100,000,000 for Hangarkeepers Legal Liability coverage from insurers ACE/Lloyds at a cost of \$57,602 and adopt Resolution No. 6333.

Staff Contact(s): Myron J. Kuklok, Risk Management Director, 480-312-7841, mkuklok@scottsdaleaz.gov; Craig Clifford, Chief Financial Officer, 480-312-2364, cclifford@scottsdaleaz.gov

**23. Purchase of excess Workers' Compensation insurance for the period 7/1/03 – 7/1/04
OK - C**

Request: Consider authorizing the purchase of Workers' Compensation insurance from Midwest Employers Casualty Company in excess of the City's self-insured retention amount of \$600,000 for a cost of \$92,185 and adopt Resolution No. 6331.

Staff Contact(s): Myron J. Kuklok, Risk Management Director, 480-312-7841, mkuklok@scottsdaleaz.gov; Craig Clifford, Chief Financial Officer, 480-312-2364, cclifford@scottsdaleaz.gov

24. Purchase of Property Insurance for City Buildings, Contents and Equipment for the period 7/1/03-04. OK - C

Request: Consider authorizing purchase of Property insurance on approximately \$534 million of buildings, contents and equipment replacement values in excess of the deductible portions from the Allianz Insurance Group, at a cost of \$713,147 and adopt Resolution No. 6332.

Staff Contact(s): Myron J. Kuklok, Risk Management Director, 480-312-7841, mkuklok@scottsdaleaz.gov

25. Authorize the filing of a Notice of Appeal in City of Scottsdale v. Glenalden Homes, L.L.C., et al., Superior Court Case No. CV 99-13348. OK - C

Request: Authorize Graham & Associates, LTD. to file a Notice of Appeal on behalf of the City of Scottsdale in the litigation entitled City of Scottsdale v. Glenalden Homes, L.L.C., et al., Superior Court Case No. CV 99-13348, an eminent domain action brought to acquire real property for the McDowell Sonoran Preserve, with the caveat that counsel will return to the City Council for further direction on how to proceed in prosecuting the appeal to a conclusion.

Related Policies, References: Resolution No. 6280 (retention of outside counsel)

Staff Contact(s): David A. Pennartz, City Attorney, dpennartz@scottsdaleaz.gov, (480) 312-2405

26. City of Scottsdale adv. Allied Construction, Inc. OK - C

Request: Adopt Resolution No. 6335 authorizing the City Attorney to renew Contract No. 2000-160A-COS and authorize renewal of Contract No. 2000-160A-COS in a maximum amount of Five Thousand Dollars (\$5,000) with Holden Brodman PLC for legal services in connection with the dispute among the City of Scottsdale, Allied Construction, Inc., and the City's engineer, Cella Barr Associates, relating to construction at McCormick-Stillman Ranch Railroad Park.

Staff Contact(s): Steven Bennett, Deputy City Attorney 480-312-2405, sbennett@scottsdaleaz.gov; David A. Pennartz, City Attorney, 480-312-2405, dpennartz@scottsdaleaz.gov

*****26A. Authorization of Tourism/Proposition 202 Funding Proposal OK - C**

Request: Authorize Resolution No. 6341 to authorize a proposal to the Fort McDowell Yavapai Nation for funds to promote tourism in the northeast valley, in accordance with Proposition 202.

Related Policies, References: Proposition 202, the 17 Tribe Indian Self-Reliance Initiative.

Staff Contact(s): Natalie N. Lewis, nlewis@ScottsdaleAZ.gov, 480-312-7806

Regular Agenda begins on the following page

27. Downtown Overlay and Related Amendments OK – 7/0 W/AMENDMENT TO ELIMINATE 12,000 SF PARKING WAIVER**Request:**

1. To amend City of Scottsdale Zoning Ordinance (Ordinance No. 455) Article I., Administration and Procedures., Section 1.403. Additional conditions for specific conditional uses., Article III., Definitions.; Section 3.100 General.; Article V., District Regulations., Section 5.3002. Conflict with other sections., Article IX., Parking and Loading Requirements., Section 9.104. Programs and incentives to reduce parking requirements., and Section 9.108 Special parking requirements in districts., and to add Article VI., Supplementary Districts.; Section 6.1200., (DO) DOWNTOWN OVERLAY.
2. To apply the Downtown Overlay (DO) zoning to 750 +/- acres known as the Downtown area.
3. To adopt Ordinance No. 3521 affirming the above rezoning
4. To adopt Ordinance No. 3520, affirming the above text amendment.

Location: Downtown area which is generally bounded by Chaparral Road on the north, Miller Road on the east, Earll Drive on the south and 68th Street on the west.

Reference: 1-TA-2003 & 5-ZN-2003

Staff Contacts: Monique de los Rios-Urban, Senior Planner, 480-312-7898, mdelos@ScottsdaleAz.gov; Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@scottsdaleaz.gov; Ed Gawf, Deputy City Manager, 480-312-4510, egawf@scottsdaleaz.gov

Public Comment

Citizens may complete one speaker/citizen comment card per night and submit it to the City Clerk before or during this evening's meeting. This "Public Comment" time is reserved for citizen comments regarding non-agendized items. No official Council action will be taken on these items. **1) BEVERLY HALL, O'HEARN CONFLICT OF INTEREST; 2) LEON SPIRO, READ LETTER FROM JOHN ALEO RE: GLO PATENT FOR ROADWAY & PUBLIC UTILITY EASEMENT**

City Manager's Report -- NONE

Mayor and Council Items -- 1) WAYNE ECTON, AGENDIZE FOR A NEW STRATEGIC PLAN; 2) DAVID ORTEGA, LEGAL MEMO RE: ELLMAN DEAL TO BE DISCUSSED TOMORROW NIGHT

Adjournment -- 8:22 P.M.

Section 2.17 of the Scottsdale City Code states, "Regular Meetings that are scheduled to be conducted on consecutive days may be combined and held on either of the two (2) days, at the election of the council, and shall be considered a single meeting." The Council may hold over any items noticed on the Tuesday agenda to the agenda for the Wednesday meeting.